

March 6, 2008

**Re: Senate Bill 559 – Relating to the Penalty for Failing to
Stop at the Scene of a Motor Vehicle Accident**

Chairwoman Taylor and Judiciary Committee Members,

Thank you for scheduling a public hearing on Senate Bill 559.

Representative Strachota and I are offering this bill on behalf of our constituent, Betsy Klumb. On September 27, 2007, her teenage son was killed by a hit and run driver. Two other teenage boys were also injured in the same accident. In her correspondence, this mother writes, *"I was appalled to learn that this defendant will more than likely get a 15-year prison term after which he will be free to be a menace once again. On top of that, he injured two others who for all he knew were dead just like my son. His penalty for the two boys is only nine months each. I've read news articles about people getting nine months or more for abusing animals."*

Under current law, a person who commits a hit-and-run:

- 1) May be fined not more than \$10,000 or imprisoned for not more than nine months or both if the accident involved injury to a person but the person did not suffer great bodily harm;
- 2) Is guilty of a Class E felony if the accident involved injury to a person and the person suffered great bodily harm; and
- 3) Is guilty of a Class D felony if the accident involved death to a person.

Senate Bill 559 creates an additional category of penalty for a hit-and-run. A person guilty of hit-and-run is guilty of a Class H felony if the accident involved injury to a person and the person suffered substantial bodily harm. A class H felony is punishable by a fine not exceeding \$10,000 or imprisonment not exceeding six years or both.

Senate Bill 559 also defines "great bodily harm" as bodily injury that creates a substantial risk of death, or that causes serious permanent disfigurement, or that causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily injury.

As such, we urge your favorable support for Senate Bill 559. Thank you for your thoughtful consideration.